

Has carefully compared same, and finds it correctly engrossed.

ROACH of Angelina,
Acting Chairman.

Committee Room,
Austin, Texas, March 21, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 17, Concerning development of lands by the Federal Government,

Has carefully compared same, and finds it correctly engrossed.

ROACH of Angelina,
Acting Chairman.

Committee Room,
Austin, Texas, March 21, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 31, Granting D. R. Pinney, of Hudspeth County, permission to bring suit against the State of Texas and the State Highway Commission,

Has carefully compared same, and finds it correctly engrossed.

ROACH of Angelina,
Acting Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, March 21, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 576, "An Act providing relief for the Reynard Common School District No. 55, and for the Mount Zion Common School District No. 42, of Houston County, Texas, in order to aid said school districts in rebuilding their schools which were destroyed by cyclone which struck the communities of Reynard and Mount Zion on the seventh day of February, 1935; providing for work relief; making an appropriation to said districts for said properties, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, March 21, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 382, "An Act making an appropriation from the State Treasury for the preparation, checking, investigation and correction of the scholastic census to the State Department of Education, providing money for salaries, wages, rent, equipment, supplies, and necessary traveling expenses incident thereto for the sum of eighty-five hundred dollars (\$8,500), for the year ending September 1, 1935, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

Committee Room,
Austin, Texas, March 21, 1935.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 425, "An Act making an appropriation of three thousand dollars (\$3,000) out of any moneys not otherwise appropriated, for the support, maintenance, and extra help for the State Laboratories of the State Health Department; no salary paid out of this appropriation to exceed fifty dollars (\$50) per month, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ATCHISON, Chairman.

THIRTY-NINTH DAY

(Friday, March 22, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Hon. Albert G. Walker.

The roll was called, and the following members were present:

Adamson	Broyles
Adkins	Burton
Aikin	Butler of Brazos
Alsup	Butler of Karnes
Ash	Cagle
Atchison	Caldwell
Bourne	Celaya
Bradford	Clayton

Collins	Lemens
Colson	Leonard
Cowley	Lotief
Craddock	Lucas
Crossley	Luker
Daniel	Mauritz
Davison of Fisher	McConnell
Davison of Eastland	McFarland
Dickison	McKee
Dunlap of Hays	Moore
Dunlap of Kleberg	Morrison
England	Morse
Fain	Newton
Farmer	Nicholson
Fisher	Olsen
Fitzwater	Patterson
Ford	Payne
Fox	Petsch
Frazer	Pope
Fuchs	Quinn
Gibson	Reader
Glass	Reed of Bowie
Good	Reed of Dallas
Graves	Riddle
Gray	Roach of Angelina
Greathouse	Roane
Hankamer	Roark
Hanna	Roberts
Hardin	Rogers
Harris of Archer	Rutta
Hartzog	Scarborough
Head	Settle
Hill	Smith
Hofheinz	Spears
Hoskins	Stanfield
Howard	Steward
Huddleston	Stinson
Hunt	Stovall
Jackson	Tarwater
James	Tennyson
Jones of Atascosa	Thornton
Jones of Falls	Tillery
Jones of Wise	Walker
Keefe	Wells
King	Westfall
Knetsch	Wood of Harrison
Lange	Wood of Montague
Lanning	Worley
Latham	Young
	Youngblood

Absent

Calvert	Duvall
Colquitt	Dwyer
Dunagan	Padgett

Absent—Excused

Alexander	Hodges
Beck	Holland
Bergman	Hunter
Bradbury	Hyder
Canon	Jefferson
Cooper	Jones of Runnels
Davis	Jones of Shelby
Harris of Dallas	Leath
Herzik	Lindsey

McCalla	Roach of Hunt
McKinney	Russell
Moffett	Shofner
Morris	Venable
Palmer	Waggoner

A quorum was announced present.

Rev. Geo. W. Coltrin, Chaplain, offered the following invocation:

"Lord, in this troubled time, we pray that the spirit of peace may come upon the nations of the earth that are under the threat of war. Be Thou with our own land and State, our President, our Governor, and ourselves, to the end that together we may work well for the present and the future of our land. For Christ's sake. Amen."

COMMUNICATION FROM HON.
COKE R. STEVENSON,
SPEAKER

The Chair laid before the House, and had read, the following communication:

Austin, Texas, March 21, 1935.

Mrs. Louise Snow Phinney, Chief Clerk, House of Representatives, Austin, Texas.

Dear Madam: By the authority vested in me under Rule I, Section 10, of the Rules of the House of Representatives, Hon. Albert Walker of Wilbarger is hereby appointed to preside during my absence.

COKE R. STEVENSON,
Speaker of the House of Representatives.

LEAVES OF ABSENCE GRANTED

The following members were granted leaves of absence on account of important business:

Mr. Venable for today, on motion of Mr. Bradford.

Mr. Jefferson for today, on motion of Mr. Burton.

Mr. Jones of Shelby for today, on motion of Mr. Fain.

Mr. Russell for today, on motion of Mr. Lotief.

Mr. Moffett for today, on motion of Mr. Latham.

Mr. Roach of Hunt for today, on motion of Mr. Reed of Dallas.

Mr. Hodges for today, on motion of Mr. Aikin.

The following member was granted leave of absence on account of illness:

Mr. Leath for today, on motion of Mr. Daniel.

On motion of Mr. Aikin, the members of the Penitentiary Committee were granted leaves of absence for today, for the purpose of making an official inspection trip to the State Penitentiary System.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Palmer, Mr. Glass, Mr. Tarwater, Mr. Steward, Mr. Hoskins, Mr. Celaya, Mr. Jones of Falls, and Mr. Ash:

H. B. No. 855, A bill to be entitled "An Act providing for the right of ingress and egress to and from the public fresh waters of Texas as defined in Article 4026 and Article 4029 of the Revised Civil Statutes of 1925, and allowing the use of the banks of such public fresh waters by fishermen without being guilty of trespass, etc., and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Hill and Mr. Padgett:

H. B. No. 856, A bill to be entitled "An Act to provide that the Texas School for the Deaf shall be classed and conducted as an educational institution of the State; providing that it shall receive its per capita apportionment for all scholastics therein from the public school fund; that it shall be under the control of the State Board of Education as to educational work and as to the appointment of a superintendent, but under the supervision and control of the Board of Control otherwise, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Keefe:

H. B. No. 857, A bill to be entitled "An Act amending Article 4, Revised Civil Statutes of Texas, 1925, as amended Acts 1927, Fortieth Legislature, page 276, Chapter 194, as further amended by Acts 1932, Forty-

second Legislature, Third Called Session, page 96, Chapter 32, and as further amended by Acts 1933, Forty-third Legislature, page 320, Chapter 122, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Keefe (by request):

H. B. No. 858, A bill to be entitled "An Act to amend Article 5048 of the Revised Civil Statutes of the State of Texas, as adopted in 1925, so as to provide that any insurance money payable under a policy or policies issued under this article shall be applied as far as necessary to cancel any debt against the assured held by the beneficiary or growing out of any transaction between assured and the beneficiary, provided the beneficiary is reimbursed for all premiums paid, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Dunlap of Hays:

H. B. No. 859, A bill to be entitled "An Act making an appropriation of eight thousand five hundred and seventy-five dollars (\$8,575) for materials to repair and construct buildings, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Tarwater:

H. B. No. 860, A bill to be entitled "An Act to amend Subdivision 64 of Article 199 of Title 8 of the Revised Civil Statutes of the State of Texas, 1925, to change and prescribe the terms and time of holding District Courts of the Sixty-fourth Judicial District of the State, composed of Hale, Lamb, Swisher, Castro, and Bailey Counties, giving additional time to Lamb County, and to conform all writs and process from such courts to such changes and to make all writs and process issued or served before this Act takes effect, etc., and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Stovall:

H. B. No. 861, A bill to be entitled "An Act granting to John Mulkey of Ellis County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Ellis County, Texas, for damages sustained to his

property by the construction of roadbed and excavating sides of roadbed adjacent to and upon his land on Highway No. 8 in Ellis County, Texas, impounding water on his land and destroying his farm, etc., and declaring an emergency."

Referred to Committee on State Affairs.

ADDITIONAL SIGNERS OF HOUSE JOINT RESOLUTION AND HOUSE BILL

By unanimous consent of the House, the following members were authorized to sign House bill and House joint resolution, as follows:

Mr. Howard: House Bill No. 728.

Messrs. Jones of Shelby and Fain: House Joint Resolution No. 6.

GRANTING PERMISSION TO SUE THE STATE

Mr. Morse offered the following resolution:

H. C. R. No. 51, Granting H. B. McElmurray and Mrs. H. B. McElmurray permission to sue the State of Texas.

Whereas, On or about the eighth day of July, 1932, H. B. McElmurray and Mrs. H. B. McElmurray received serious and permanent injuries while driving upon a stretch of highway known as U. S. 80, running between Kent, Texas, and Van Horn, Texas, at a point in Culberson County, Texas, at which time the automobile of the parties was wrecked and serious and permanent injuries inflicted upon Mrs. H. B. McElmurray, who was an occupant of the car with her said husband; and

Whereas, The said McElmurray and wife claim that said injuries were directly and proximately caused by the negligence of the State Highway Department, in that said Highway Department had permitted boulders of rock to be left on said highway, and that an auto belonging to the Highway Department, and being operated by one of the State's employees, negligently and carelessly forced the car of the McElmurrays into contact with said boulder of rock; and

Whereas, Said McElmurrays claim that the State of Texas and its Highway Department are liable for said injuries so inflicted; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said H. B. McElmurray and Mrs. H. B. McElmurray are hereby granted permission to bring suit against the State of Texas and the State Highway Department and the State Highway Commission in a court of competent jurisdiction in Travis County, Texas, to ascertain and fix the amount, if any, the State Highway Commission and the State of Texas is indebted to the said McElmurrays on account of said injuries so alleged to have been inflicted upon them. And in case such suit is filed service of citation shall be had upon the Governor of the State of Texas, the Chairman of the Highway Commission, and the Attorney General of Texas, and that said suit may be prosecuted regardless of any claim of limitation upon the part of the defendants therein, and that either party hereto shall have the right of appeal without the execution of a bond, and any judgment that may be finally established against the State of Texas and the Highway Commission of Texas in said suit shall be a liquidated debt and shall be paid by the Highway Commission of Texas out of the funds in its hands and under its control.

The resolution was read second time, and was referred, by the Chair, to the Committee on State Affairs.

RELATIVE TO CONVENTION ON LABOR

Mr. Youngblood offered the following resolution:

Whereas, On May 13, 1935, in the City of Waco, Texas, the representatives of eighty-five thousand workers from the State of Texas will meet to discuss problems of labor; and

Whereas, The Legislature of the State of Texas should be properly informed of the needs of legislation for these workers so that it will be able to cope with legislation coming before it and affecting these workers; therefore, be it

Resolved, That the Chairman of the Labor Committee be allowed the sum of _____ dollars for the purpose of attending this convention, studying and learning the needs and problems of these people.

The resolution was read second time.

On motion of Mr. Youngblood, the resolution was referred to the Committee on Labor.

RELATIVE TO APPOINTMENT
OF COMMITTEE IN REGARD
TO TEXAS-OKLAHOMA
BOUNDARY LINE

Mr. Rogers offered the following resolution:

H. C. R. No. 55, Relative to appointment of committee to determine boundary of Texas and Oklahoma.

Whereas, The northern boundary line of the Panhandle of Texas and the southern boundary line of the Panhandle of Oklahoma are in dispute, which results in constant confusion due to the fact that the States of Texas and Oklahoma are each asserting jurisdiction over a narrow strip of land between what is termed the "Cimarron Base Line" and a line surveyed under the authority of the General Land Office of the United States, and each State is attempting to exercise sovereignty over such strip, which makes it impossible for property owners to pay taxes in either State, disrupts the enforcement of criminal laws in said strip, and jeopardizes the title to both real and personal property therein, and brings about interminable confusion in the enforcement and administration of all law therein; and

Whereas, The land owners and all other peoples adjacent to the above-mentioned disputed strip of land have for many years considered the so-called "Cimarron Base Line" the true boundary line between the States, and until recently the said "Cimarron Base Line" was also so considered and acted upon by the governments of the said States; and

Whereas, The land in the above-mentioned disputed strip is claimed by residents of many States (but the majority of whom reside in Texas and Oklahoma, being about equally divided between the residents of said last mentioned States), and the large majority of which claimants (if not all) desire that the true boundary line be established upon the "Cimarron Base Line"; and

Whereas, The matter should be settled by a compact between the States involved, to be later ratified by the Congress of the United States, as provided by law and usage, and thereby save the useless and unnecessary ex-

pense and labor incident to an adjustment and determination of the true boundary by litigation instituted in the Supreme Court of the United States; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That a committee, consisting of two members of the Senate, to be selected by the Lieutenant Governor, and three members of the House of Representatives, to be selected by the Speaker, be appointed to represent the State of Texas in negotiating and bringing about the execution of a compact between the two States, settling and establishing the said "Cimarron Base Line," as the true boundary line between the States of Oklahoma and Texas, and in settling any other matters relating thereto; that such compact between the States be submitted to the present session of the Legislature of the State of Texas for the ratification; and that said committee use its good offices to bring about the submission of such compact to the Legislature of the State of Oklahoma and to the Congress of the United States for approval and ratification; and be it further

Resolved, That the necessary expenses incident to the execution of the compact, not to exceed five hundred dollars (\$500) and such other expenses as may be necessary in establishing such true boundary, be paid out of the Contingent Fund on vouchers signed by the members of the committees from the respective houses; and be it further

Resolved, That a certified copy of this resolution be immediately furnished to the Governor of the State of Oklahoma and to the presiding officers of the Senate and House of Representatives of Oklahoma, and that they be requested to appoint a similar committee to negotiate a compact between the two States as soon as possible to the end that these matters may be settled, adjusted, and confirmed during the present session of the Legislatures of the States of Oklahoma and Texas.

ROGERS,
AIKIN.

The resolution was read second time.

On motion of Mr. Knetsch, the resolution was referred to the Committee on State Affairs.

RELATIVE TO AUTO LICENSE PLATES OF 1936

Mr. Wood of Harrison offered the following resolution:

H. C. R. No. 60, Relative to auto license plates of 1936.

Whereas, The year of 1936 will be the one hundredth year of Texas independence; and

Whereas, The people of Texas are going to celebrate the one hundredth year of Texas independence and progress; and

Whereas, The fact that many of our Texas cars and trucks travel out of State on business and vacations; and

Whereas, The fact that the traveling of these cars and trucks is one of the best advertising means possible; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Texas Highway Commission be requested that when manufacturing the license plates for the year of 1936, that they be made in the colors of our State Flag, and that the word "Centennial" be stamped upon each license plate manufactured.

Signed—Wood of Harrison, Wood of Montague, Rutta, Dunlap of Hays, Steward, Jefferson, Jackson, Smith, Cowley, Beck, Holland.

The resolution was read second time.

Mr. Hardin moved that the resolution be referred to the Committee on State Affairs.

Mr. Lucas moved to table the motion by Mr. Hardin.

The motion to table prevailed.

Question recurring on the resolution, it was adopted.

TO MEMORIALIZE CONGRESS IN REGARD TO TOWNSEND OLD AGE PENSION PLAN

Mr. Jones of Falls (by request) offered the following resolution:

H. C. R. No. 62, Memorializing Congress in regard to Townsend old age pension plan.

Whereas, The problem of old age security has become a leading public issue; and

Whereas, The people of the State of Texas have become conscious of the need for Federal legislation aiming to make dependent old age more secure; and

Whereas, Many thousands of the people of this State have endorsed and recommended a plan known as "The Townsend Old Age Revolving Pension Plan," tending toward the accomplishment of these aims and the security of persons of this State in their old age; now, therefore, be it

Resolved by the House of Representatives of the General Assembly, the Senate concurring herein, That the Congress of the United States is hereby respectfully memorialized and urged to give every consideration to the said "The Townsend Old Age Revolving Pension Plan," if, as, and when the same is presented for its consideration; be it further

Resolved, That the Senators and Representatives of the State of Texas in the Congress of the United States be requested to take such necessary steps as will insure full consideration of the aforesaid "The Townsend Old Age Revolving Pension Plan," upon its presentation to the Congress of the United States, and that copies of this memorial be forwarded forthwith to the President of the Senate, to the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Representatives of the State of Texas.

JONES of Falls,
CAGLE,
SHOFNER.

The resolution was read second time.

On motion of Mr. Hankamer, the resolution was referred to the Committee on Federal Relations.

HOUSE BILL NO. 475 ON FINAL PASSAGE

On motion of Mr. Morse, the vote by which House Bill No. 475 was finally passed, was reconsidered.

Question—Shall House Bill No. 475 be passed?

Mr. Dunlap of Kleberg offered the following amendment to the bill:

Amend House Bill No. 475 by adding a new section, to be numbered Section 2, which shall read as follows:

"Section 2. All laws or parts of laws in conflict herewith are hereby repealed."

And by renumbering the last section of said bill so that it shall be Section 3.

The amendment was adopted.
House Bill No. 475 was then passed
by the following vote:

Yeas—111

Adamson	James
Adkins	Jones of Atascosa
Aikin	Jones of Falls
Alsup	Jones of Wise
Ash	King
Atchison	Knetsch
Bradford	Lanning
Broyles	Latham
Burton	Lemens
Butler of Brazos	Leonard
Butler of Karnes	Lotief
Cagle	Lucas
Caldwell	Luker
Celaya	Mauritz
Clayton	McConnell
Collins	McFarland
Colquitt	McKee
Colson	Moore
Cowley	Morrison
Craddock	Morse
Daniel	Newton
Davisson	Nicholson
of Eastland	Olsen
Dickison	Patterson
Dunagan	Payne
Dunlap of Hays	Pope
Dunlap of Kleberg	Quinn
Dwyer	Reader
England	Reed of Bowie
Fain	Reed of Dallas
Farmer	Riddle
Fisher	Roach of Angelina
Fitzwater	Roane
Fox	Roark
Frazer	Roberts
Fuchs	Rogers
Gibson	Rutta
Glass	Scarborough
Good	Smith
Graves	Spears
Gray	Stanfield
Greathouse	Steward
Hankamer	Stinson
Hanna	Stovall
Hardin	Tarwater
Harris of Archer	Tennyson
Harris of Dallas	Thornton
Hartzog	Tillery
Head	Walker
Hill	Wells
Hofheinz	Westfall
Hoskins	Wood of Harrison
Howard	Wood of Montague
Huddleston	Worley
Hunt	Young
Jackson	Youngblood

Absent

Bourne	Crossley
Calvert	Davison of Fisher

Duvall	Padgett
Ford	Petsch
Keefe	Settle
Lange	

Absent—Excused

Alexander	Jones of Shelby
Beck	Leath
Bergman	Lindsey
Bradbury	McCalla
Canon	McKinney
Cooper	Moffett
Davis	Morris
Herzik	Palmer
Hodges	Roach of Hunt
Holland	Russell
Hunter	Shofner
Hyder	Venable
Jefferson	Waggoner
Jones of Runnels	

HOUSE BILL NO. 423 ON FINAL
PASSAGE

On motion of Mr. Frazer, the vote
by which House Bill No. 423 was
finally passed, was reconsidered.

Question—Shall House Bill No. 423
be passed?

Mr. Frazer offered the following
amendment to the bill:

Amend House Bill No. 423 by in-
serting a new Section 2, after Sec-
tion 1, and renumbering the sections
accordingly, said Section 2 to read as
follows:

"Section 2. Any person violating
the provisions of this Act shall be
guilty of a misdemeanor and upon
conviction thereof shall be fined in a
sum of not less than ten dollars (\$10)
nor more than twenty-five dollars
(\$25)."

The amendment was adopted.

House Bill No. 423 was then passed
by the following vote:

Yeas—104

Adamson	Colquitt
Adkins	Colson
Aikin	Craddock
Alsup	Daniel
Ash	Davisson
Atchison	of Eastland
Bourne	Dickison
Bradford	Dunagan
Broyles	Dunlap of Hays
Burton	Dwyer
Butler of Brazos	England
Butler of Karnes	Fain
Cagle	Farmer
Caldwell	Fisher
Celaya	Fitzwater
Clayton	Fox
Collins	Frazer

Fuchs	Newton
Gibson	Nicholson
Glass	Patterson
Good	Payne
Graves	Petsch
Gray	Pope
Hankamer	Quinn
Hanna	Reed of Bowie
Hardin	Reed of Dallas
Harris of Archer	Riddle
Harris of Dallas	Roach of Angelina
Head	Roark
Hill	Roberts
Hofheinz	Rogers
Hoskins	Rutta
Howard	Scarborough
Huddleston	Settle
Hunt	Smith
Jackson	Spears
Jones of Falls	Stanfield
Jones of Wise	Steward
Keefe	Stinson
Knetsch	Stovall
Lanning	Tarwater
Latham	Tennyson
Lemens	Thornton
Lotief	Tillery
Lucas	Walker
Luker	Wells
Mauritz	Westfall
McConnell	Wood of Harrison
McFarland	Wood of Montague
McKee	Worley
Moore	Young
Morrison	Youngblood
Morse	

Absent

Calvert	James
Cowley	Jones of Atascosa
Crossley	King
Davison of Fisher	Lange
Dunlap of Kleberg	Leonard
Duvall	Olsen
Ford	Padgett
Greathouse	Reader
Hartzog	Roane

Absent—Excused

Alexander	Jones of Shelby
Beck	Leath
Bergman	Lindsey
Bradbury	McCalla
Canon	McKinney
Cooper	Moffett
Davis	Morris
Herzik	Palmer
Hodges	Roach of Hunt
Holland	Russell
Hunter	Shofner
Hyder	Venable
Jefferson	Waggoner
Jones of Runnels	

HOUSE BILL NO. 356 ON SECOND READING

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 356, A bill to be entitled "An Act amending Sections 3, 14, and 16, of the F. C. C. S. S. B. No. 49, Chapter 107, Acts of the Regular Session, Forty-first Legislature, 1929, relating to the salary of the Board of Pharmacy, providing renewal fees for licenses and prohibiting the use of the word "Pharmacy" where no registered pharmacist is employed, and fixing penalties, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 356 ON THIRD READING

Mr. Reader moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 356 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Adamson	Farmer
Adkins	Fisher
Aikin	Fitzwater
Alsup	Fox
Ash	Frazer
Atchison	Fuchs
Bourne	Gibson
Bradford	Glass
Broyles	Graves
Burton	Gray
Butler of Brazos	Greathouse
Butler of Karnes	Hankamer
Caldwell	Hanna
Celaya	Hardin
Clayton	Harris of Archer
Collins	Hartzog
Colquitt	Head
Colson	Hill
Cowley	Hofheinz
Craddock	Hoskins
Daniel	Howard
Davison	Huddleston
of Eastland	Hunt
Dickison	Jackson
Dunagan	James
Dunlap of Hays	Jones of Atascosa
Dunlap of Kleberg	Jones of Falls
England	Jones of Wise
Fain	Keefe

Knetsch	Roach of Hunt
Lanning	Roane
Latham	Roark
Lemens	Roberts
Leonard	Rogers
Lotief	Rutta
Lucas	Scarborough
Luker	Settle
Mauritz	Smith
McConnell	Spears
McFarland	Stanfield
McKee	Steward
Moore	Stovall
Morrison	Tennyson
Morse	Thornton
Nicholson	Tillery
Olsen	Walker
Patterson	Wells
Payne	Westfall
Petsch	Wood of Harrison
Pope	Wood of Montague
Reader	Worley
Reed of Dallas	Young
Riddle	Youngblood
Roach of Angelina	

Absent

Cagle	Hunter
Calvert	Hyder
Crossley	King
Davison of Fisher	Lange
Duval	Newton
Dwyer	Padgett
Ford	Quinn
Good	Reed of Bowie
Herzik	Stinson
Holland	Tarwater

Absent—Excused

Alexander	Leath
Beck	Lindsey
Bergman	McCalla
Bradbury	McKinney
Canon	Moffett
Cooper	Morris
Davis	Palmer
Harris of Dallas	Russell
Hodges	Shofner
Jefferson	Venable
Jones of Runnels	Waggoner
Jones of Shelby	

The Chair then laid House Bill No. 356 before the House on its third reading and final passage.

The bill was read third time.

Mr. Aikin offered the following amendment to the bill:

Amend House Bill No. 356 by striking out "\$20" and inserting in lieu thereof the words and figures "ten dollars (\$10) per day," and amend the caption to conform.

The amendment was adopted.

House Bill No. 356 was then passed.

HOUSE BILL NO. 791 ON FINAL PASSAGE

On motion of Mr. Knetsch, the vote by which House Bill No. 791 was finally passed, was reconsidered.

Question—Shall House Bill No. 791 be passed?

Mr. Knetsch offered the following amendments to the bill:

Amend House Bill No. 791 by inserting a new Section 2, after Section 1, and renumbering the sections accordingly. Said new Section 2 to read as follows:

"Section 2. Any person violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not less than one dollar (\$1) nor more than fifty dollars (\$50)."

Amend the caption of House Bill No. 791 to conform with the changes and to the body of the bill.

The amendments were severally adopted.

House Bill No. 791 was then passed by the following vote:

Yeas—106

Adamson	Fuchs
Adkins	Gibson
Aikin	Glass
Alsup	Good
Ash	Graves
Atchison	Gray
Bourne	Greathouse
Bradford	Hankamer
Broyles	Hanna
Burton	Hardin
Butler of Brazos	Harris of Archer
Butler of Karnes	Harris of Dallas
Cagle	Head
Caldwell	Hill
Celaya	Hofheinz
Clayton	Hoskins
Collins	Howard
Colquitt	Huddleston
Colson	Hunt
Cowley	Jackson
Craddock	James
Daniel	Jones of Atascosa
Davison of Fisher	Jones of Falls
Davisson	Jones of Wise
of Eastland	Keefe
Dickison	King
Dunagan	Knetsch
Dunlap of Hays	Lanning
England	Latham
Fain	Lemens
Farmer	Leonard
Fisher	Lotief
Fox	Lucas
Frazer	Luker

Mauritz	Rutta
McConnell	Scarborough
McFarland	Settle
McKee	Smith
Moore	Spears
Morrison	Stanfield
Morse	Steward
Newton	Stinson
Nicholson	Tarwater
Olsen	Thornton
Patterson	Tillery
Payne	Walker
Petsch	Wells
Reed of Bowie	Westfall
Reed of Dallas	Wood of Harrison
Riddle	Wood of Montague
Roach of Angelina	Worley
Roark	Young
Roberts	Youngblood
Rogers	

Absent

Calvert	Lange
Crossley	Padgett
Dunlap of Kleberg	Pope
Duvall	Quinn
Dwyer	Reader
Fitzwater	Roane
Ford	Stovall
Hartzog	Tennyson

Absent—Excused

Alexander	Jones of Shelby
Beck	Leath
Bergman	Lindsey
Bradbury	McCalla
Canon	McKinney
Cooper	Moffett
Davis	Morris
Herzik	Palmer
Hodges	Roach of Hunt
Holland	Russell
Hunter	Shofner
Hyder	Venable
Jefferson	Waggoner
Jones of Runnels	

HOUSE BILL NO. 101 ON SECOND
READING

(By Unanimous Consent)

The Chair laid before the House, on its second reading and passage to engrossment,

H. B. No. 101, A bill to be entitled "An Act amending Article 879 and Article 879-b of Chapter 6, Title 13, Revised Criminal Statutes of Texas, 1925, as amended by Acts of the Fortieth Legislature, page 316, Chapter 215, and amended by Acts of the Fourth Called Session of the Forty-first Legislature, page 29, Chapter 19, providing an open season or period of time when it shall be lawful

to hunt, take, or kill wild mourning doves, wild quail of all kinds and wild Mexican pheasants, or chachalaca, in the North and South Zones as such zones are defined in Article 878 of the Revised Penal Code, etc., and declaring an emergency."

The bill was read second time.

Mr. Young offered the following amendment to the bill:

Amend House Bill No. 101 in the printed copy by changing the figures "15th" to "16th," in line 34, on page 1, and lines 11 and 13, on page 2.

The amendment was adopted.

Mr. Caldwell offered the following amendment to the bill:

Amend House Bill No. 101 by inserting on page 2 thereof, after line 1, the following:

"Provided, however, that nothing in this section shall change the open season on wild mourning doves, as the same now exists, in Dimmit, Medina, Uvalde, and Zavala Counties."

The amendment was adopted.

Mr. Leonard offered the following amendment to the bill:

Amend House Bill No. 101 by adding the following and renumbering the sections to conform:

"Section 1. Article 879-a of the Penal Code of Texas, as amended by the Acts of 1929, Forty-first Legislature, page 173, Chapter 74, paragraph 1, and by the Acts of 1931, Forty-second Legislature, page 238, Chapter 142, paragraph 2, is hereby amended so the same shall hereafter read as follows:

"There shall be an open season or period of time when it shall be lawful to hunt, take, or kill wild white-winged doves in the North White Wing Zone during the period from August 8 to October 31 of each year, both days inclusive; in the South White Wing Zone on each Sunday, Tuesday and Thursday, and no other days, during the period from August 20 to October 31 of each year, both days inclusive."

Sec. 2. Article 881 of the Penal Code of Texas is hereby amended so as to hereafter read as follows:

"Article 881. It shall be unlawful to take, kill, or possess any birds or animals in greater number than the daily, weekly, or seasonal bag limit or number of such game birds and game animals permitted to be killed

or taken, such bag limits to be as follows:

"Wild mourning doves and wild white-winged doves, fifteen in any one day, and not more than forty-five in any one week of seven days, except that in the South White Wing Zone the bag limit on white-winged doves shall be twelve in any one day and not more than thirty-six in any one week of seven days, and it shall also be unlawful for anyone to transport from one county to another in the South White Wing Zone or from within the South White Wing Zone to without the South White Wing Zone more than twenty-four white-winged doves.

"Wild quail of all kinds, and wild Mexican pheasant, or chachalaca, twelve in any one day, and not more than thirty-six in any one week of seven days, and all kinds of varieties of these shall be considered in making up the limit of twelve.

"Wild turkey gobblers, three during the open season of any one year, as herein provided.

"Wild geese and brant of all kinds, four in any one day, and not more than twelve in any one week of seven days.

"Wild ducks of all kinds, wild snipe of all kinds, wild black-bellied plover, wild yellowlegs, wild gallinule, or Indian hen, and wild coot, or mud hen, twenty-five in any one day, and not more than fifty in any one week of seven days; provided, that all kinds and varieties of game birds mentioned in this section shall be considered in making up the daily limit of twenty-five or weekly bag limit of fifty.

"Wild prairie chicken, or pinnated grouse, five in any one day, and not to exceed ten in the open season of any one year.

"Wild buck deer, two during the open season of any one year, as provided in this chapter.

"Wild bear, one during the open season of any one year, as provided in this chapter.

"Wild squirrel, ten in any one day."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and to the body of the bill.

House Bill No. 101 was then passed to engrossment.

HOUSE BILL NO. 101 ON THIRD READING

Mr. Young moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 101 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Adkins	Hunt
Aikin	Jackson
Alsup	Jones of Atascosa
Ash	Jones of Falls
Atchison	Jones of Wise
Bourne	Keefe
Bradford	King
Broyles	Knetsch
Burton	Lanning
Butler of Brazos	Latham
Butler of Karnes	Lemens
Cagle	Leonard
Caldwell	Lotief
Celaya	Lucas
Clayton	Luker
Collins	Mauritz
Colquitt	McConnell
Colson	McFarland
Cowley	McKee
Craddock	Moore
Crossley	Morrison
Daniel	Morse
Davison of Fisher	Newton
Davisson	Nicholson
of Eastland	Olsen
Dickison	Patterson
Dunlap of Hays	Payne
Dunlap of Kleberg	Petsch
England	Pope
Fain	Quinn
Farmer	Reader
Fisher	Reed of Bowie
Fitzwater	Reed of Dallas
Fox	Riddle
Frazer	Roach of Angelina
Fuchs	Roane
Gibson	Roark
Glass	Roberts
Good	Rogers
Graves	Rutta
Gray	Settle
Greathouse	Smith
Hankamer	Spears
Hanna	Stanfield
Hardin	Steward
Harris of Archer	Stinson
Harris of Dallas	Stovall
Hartzog	Tennyson
Hill	Thornton
Hofheinz	Tillery
Hoskins	Wells
Howard	Westfall
Huddleston	Wood of Harrison

Wood of Montague Young
Worley Youngblood

Absent

Adamson James
Calvert Lange
Dunagan Padgett
Duvall Scarborough
Dwyer Tarwater
Ford Walker
Head

Absent—Excused

Alexander Jones of Shelby
Beck Leath
Bergman Lindsey
Bradbury McCalla
Canon McKinney
Cooper Moffett
Davis Morris
Herzik Palmer
Hodges Roach of Hunt
Holland Russell
Hunter Shofner
Hyder Venable
Jefferson Waggoner
Jones of Runnels

The Chair then laid House Bill No. 101 before the House on its third reading and final passage.

The bill was read third time, and was passed.

ADJOURNMENT

On motion of Mr. Scarborough, the House, at 11:15 o'clock a. m., adjourned until 10 o'clock a. m., Monday, March 25.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Conservation and Reclamation:
House Bill No. 745.

Oil, Gas, and Mining: House Bill No. 266.

FORTIETH DAY

(Monday, March 25, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Howard
Adamson	Huddleston
Adkins	Hunt
Aikin	Hunter
Alexander	Hyder
Alsup	Jackson
Ash	James
Atchison	Jefferson
Beck	Jones of Atascosa
Bourne	Jones of Falls
Bradbury	Jones of Runnels
Bradford	Jones of Shelby
Broyles	Jones of Wise
Burton	Keefe
Butler of Brazos	King
Butler of Karnes	Knetsch
Cagle	Lange
Caldwell	Lanning
Calvert	Latham
Canon	Leath
Celaya	Lemens
Clayton	Leonard
Collins	Lindsey
Colquitt	Lotief
Colson	Lucas
Cooper	Luker
Cowley	McCalla
Craddock	McConnell
Crossley	McFarland
Daniel	McKee
Davis	McKinney
Davison of Fisher	Moore
Davisson	Morris
of Eastland	Morrison
Dickison	Morse
Dunagan	Newton
Dunlap of Hays	Olsen
Dunlap of Kleberg	Padgett
Duvall	Palmer
Dwyer	Patterson
England	Petsch
Fain	Pope
Farmer	Quinn
Fisher	Reed of Bowie
Fitzwater	Reed of Dallas
Ford	Riddle
Fox	Roach of Hunt
Frazer	Roane
Fuchs	Roark
Gibson	Roberts
Glass	Rogers
Good	Russell
Graves	Rutta
Gray	Scarborough
Greathouse	Settle
Hankamer	Shofner
Hanna	Smith
Hardin	Spears
Harris of Archer	Stanfield
Harris of Dallas	Steward
Hartzog	Stinson
Herzik	Stovall
Hill	Tarwater
Hodges	Tennyson
Hofheinz	Thornton
Holland	Tillery
Hoskins	Waggoner